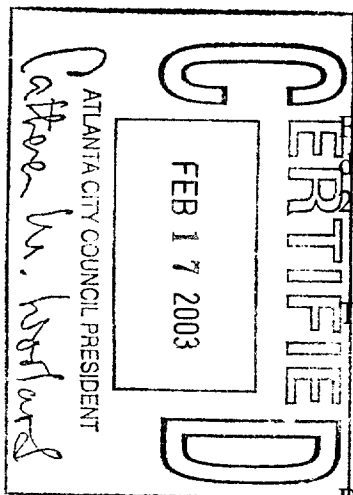


Entered - 11/21/02 - sb
CL02L0851 - DIANNE C. MITCHELL

03-*R*-0176

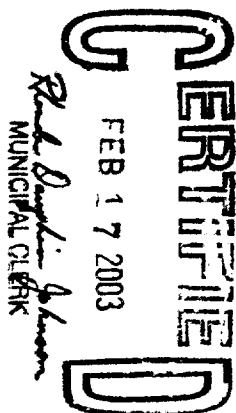
CLAIM OF: JONATHAN CECIL CHAPPELOW
1328 Highland Lake Circle
Decatur, Georgia 30033



For damages alleged to have been sustained as a result of vehicular damage due to an unsecured metal plate in the roadway on September 27, 2002 at 2900 block of Peachtree Road.

THIS ADVERSED REPORT IS APPROVED

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY



ADVERSED BY
CITY COUNCIL
FEB 17 2003

ADVERSE REPORT

COMM: *Public Safety*


DATE: *2-11-03*


CHAIR: 















OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

February 18, 2003

Jonathan Cecil Chappelow
1328 Highland Lake Circle
Decatur, GA 30033

03-R-0176

Dear Mr. Chappelow:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on February 17, 2003. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0851

Date: January 28, 2002

Claimant /Victim JONATHAN CECIL CHAPPELOW

BY: (Atty)(Ins. Co.) _____

Address: 1328 Highland Lake Circle, Decatur, Georgia 30030

Subrogation: _____ Claim for Property damage \$ 334.00 Bodily Injury \$ _____

Date of Notice: 11/12/02 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 09/27/02 Place: 2900 block Peachtree Road

Department _____ Division: _____

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges he damaged his vehicle when he drove over an unsecured metal plate in the roadway. The investigation determined that the road work at this location was performed by the Atlanta Gas Light Company. The claim has been forwarded to the Atlanta Gas Light Company for handling and the claimant has been notified of this action.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____

Pictures X Diagrams _____ Reports: Police _____ Dept Report _____ Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial _____

Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____

City not involved X Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____ 2P01 _____

Claims Manager:  Concur/date 01-29-03

Committee Action: _____ Council Action _____

RCS# 4470
2/17/03
2:22 PM

Atlanta City Council

Regular Session

CONSENT I

Pgs. 1-11: Except 03-R-0224

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

2/17/03 FULL COUNCIL MEETING		
Items Adopted on the Consent Agenda		Items Adversed on the Consent Agenda
1. 02-O-0037	37. 03-R-0161	39. 03-R-0137
2. 03-O-0127	38. 03-R-0162	40. 03-R-0138
3. 03-O-0185		41. 03-R-0139
4. 03-O-0187		42. 03-R-0163
5. 03-O-0085		43. 03-R-0164
6. 03-O-0125		44. 03-R-0165
7. 03-R-0143		45. 03-R-0166
8. 03-R-0144		46. 03-R-0167
9. 03-R-0189		47. 03-R-0168
10. 03-R-0210		48. 03-R-0169
11. 03-R-0211		49. 03-R-0170
12. 03-R-0212		50. 03-R-0171
13. 03-R-0213		51. 03-R-0172
14. 03-R-0145		52. 03-R-0173
15. 03-R-0146		53. 03-R-0174
16. 03-R-0149		54. 03-R-0175
17. 03-R-0150		55. 03-R-0176
18. 03-R-0151		56. 03-R-0177
19. 03-R-0152		57. 03-R-0178
20. 03-R-0153		58. 03-R-0179
21. 03-R-0160		59. 03-R-0180
22. 03-R-0207		60. 03-R-0181
23. 03-R-0208		61. 03-R-0201
24. 03-R-0209		
25. 03-R-0141		
26. 03-R-0142		
27. 03-R-0140		
28. 03-R-0128		
29. 03-R-0129		
30. 03-R-0130		
31. 03-R-0131		
32. 03-R-0132		
33. 03-R-0133		
34. 03-R-0134		
35. 03-R-0135		
36. 03-R-0136		
Consent I Vote: 14 Yeas; 0 Nays: (See RCS #4470)		
Item Removed from the Consent Agenda: 03-R-0224		

2/17/03 FULL COUNCIL MEETING		
Items Adopted on the Consent Agenda		Items Adversed on the Consent Agenda
1. 02-O-0037	37. 03-R-0161	39. 03-R-0137
2. 03-O-0127	38. 03-R-0162	40. 03-R-0138
3. 03-O-0185		41. 03-R-0139
4. 03-O-0187		42. 03-R-0163
5. 03-O-0085		43. 03-R-0164
6. 03-O-0125		44. 03-R-0165
7. 03-R-0143		45. 03-R-0166
8. 03-R-0144		46. 03-R-0167
9. 03-R-0189		47. 03-R-0168
10. 03-R-0210		48. 03-R-0169
11. 03-R-0211		49. 03-R-0170
12. 03-R-0212		50. 03-R-0171
13. 03-R-0213		51. 03-R-0172
14. 03-R-0145		52. 03-R-0173
15. 03-R-0146		53. 03-R-0174
16. 03-R-0149		54. 03-R-0175
17. 03-R-0150		55. 03-R-0176
18. 03-R-0151		56. 03-R-0177
19. 03-R-0152		57. 03-R-0178
20. 03-R-0153		58. 03-R-0179
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29. 03-R-0129		
30. 03-R-0130		
31. 03-R-0131		
32. 03-R-0132		
33. 03-R-0133		
34. 03-R-0134		
35. 03-R-0135		
36. 03-R-0136		
Consent I Vote: 14 Yeas; 0 Nays: (See RCS #4470)		
Item Removed from the Consent Agenda: 03-R-0224		